

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, *et al.*,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official capacity
as President of the United States, *et al.*,

Defendants.

Case No: 5:21-cv-01136-F

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants submit this notice of supplemental authority to alert the Court of a recently issued opinion. *Abbott v. Biden*, No. 6:22-CV-00003, 2022 WL 2287547 (E.D. Tex. June 24, 2022), *appeal noticed* (June 29, 2022). Just as in this case, plaintiffs in *Abbott v. Biden* raise legal challenges to federal authority to regulate the National Guard. *Id.* Those plaintiffs moved for a preliminary injunction, and on June 24, 2022, the Eastern District of Texas denied their motion. *Id.*

Dated: July 1, 2022

Respectfully submitted,

Brian M. Boynton
Principle Deputy Assistant Attorney General
Anthony J. Coppolino
Deputy Director
Christopher R. Hall
Carlotta P. Wells
Assistant Directors

/s/ Zachary A. Avallone
Steven A. Myers

Andrew E. Carmichael

Senior Trial Counsels

Zachary A. Avallone (D.C. Bar No. 1023361)

Joseph J. Demott

Courtney D. Enlow

Cody T. Knapp

R. Charlie Merritt

Kenzie K. Overing

Trial Attorneys

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, NW

Washington, DC 20005

Tel: (202) 514-2705

E-mail: zachary.a.avallone@usdoj.gov

Counsel for Defendants